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should be registered as an elector of that state unless able to read and write; but that no person who was on or before January 1, 1866, entitled to vote under any form of government, or who at that time resided in some foreign nation, and no lineal descendant of such person should be denied the right to register and vote because of such illiteracy. *Held*, that the provision is not contrary to the Fifteenth Amendment. *Atwater v. Hasselt*, 111 Pac. 802 (Okla.). See NOTES, p. 388.

CONSTITUTIONAL LAW — PERSONAL RIGHTS — INVOLUNTARY SERVITUDE. — An Alabama statute provided that any person who, with intent to defraud his employer, obtained advances on a contract of personal service and failed without good cause to repay or to perform such service should be punished by fine; and the failure to repay or to perform was made *prima facie* evidence of such fraudulent intent. The statute was attacked as violating the Thirteenth Amendment to the federal Constitution and the legislation thereunder. *Held*, that it is unconstitutional. *Bailey v. Alabama*, U. S. Sup. Ct., Jan. 3, 1911. See NOTES, p. 391.

CONSTITUTIONAL LAW — PERSONAL RIGHTS — LIMITATION OF CAMPAIGN EXPENSES AS AFFECTING CANDIDATES' RIGHT OF FREE SPEECH. — A primary election law provided that no candidate for nomination to office should expend more than fifteen per cent of the salary of the office on campaign expenses. Suit was brought against the Secretary of State to restrain him from certifying the names of candidates, on the ground that the statute was unconstitutional and void, in that it violated the right of free speech. *Held*, that the statute is constitutional. *Adams v. Lansdon*, 110 Pac. 280 (Idaho).

A limitation of campaign expenses, in so far as it interferes with a candidate's expressing his views, impairs his right of freedom of speech and publication, since anything making the exercise of a right less convenient or effective impairs it. *Cf. Ex parte Harrison*, 212 Mo. 88. The sovereign, like any employer, must necessarily be able to impose conditions on an employment, even though such conditions preclude the exercise of rights guaranteed by the Constitution. *McAuliffe v. New Bedford*, 155 Mass. 216. Yet this principle is not applicable to a candidate for office who has not yet become an employee. It has been stated that the right of freedom of speech enables one to publish anything if not blasphemous, seditious, obscene, or defamatory. *Ex parte Harrison, supra*. Such a rule, however, overlooks the right of a state, within its police power, to pass laws incidentally affecting rights guaranteed by the Constitution. *State v. Bair*, 92 Ia. 28; *Anderson v. State*, 96 N. W. 149 (Neb.). It is within the police power to impose conditions on the carrying on of certain forms of business where the public welfare is concerned. *State v. Bair, supra*. A condition on being a candidate for office is equally intended for the public welfare, and seems properly included within the scope of the expansive police power.

CONSTITUTIONAL LAW — PRIVILEGES AND IMMUNITIES: CLASS LEGISLATION — CLASSIFICATION ON BASIS OF WEALTH. — A statute, designed to protect poor immigrants from fraud, forbade private persons to engage in receiving deposits of money for safe-keeping or transmission without a license. Bankers whose average deposits per client for the preceding year were not less than \$500, and those who should give a bond for \$100,000 were exempted. It was attacked as unconstitutional on the ground of unjust and unequal classification. *Held*, that the objection is sound. *Lee v. O'Malley*, 69 N. Y. Misc. 215 (Sup. Ct.). *Held*, that the statute is constitutional. *Engel v. O'Malley*, U. S. Sup. Ct., Jan. 3, 1911.

Of the two decisions that of the United States Supreme Court seems clearly the better. In matters of classification the initial presumption ought always